

STAFF REPORT

Meeting Date: May 19, 2004

Agenda Item 11

**LAFCO CASE
NAME & NO.**

- A. LAFCO 04-06S Ojai Valley Sanitary District Sphere of Influence Amendment – Burnham/Forest Homes
- B. LAFCO 04-06 Ojai Valley Sanitary District Annexation – Burnham/Forest Homes (Parcels A-C)

PROPOSAL:

- A. LAFCO 04-06S Ojai Valley Sanitary District Sphere of Influence Amendment – Burnham/Forest Homes: To amend the Sphere of Influence of the Ojai Valley Sanitary District to provide for an annexation to the Ojai Valley Sanitary District. The Sphere of Influence Amendment consists of 1 Assessor Parcel adjacent to Burnham Road and is generally depicted on the map attached to the recommended Sphere of Influence amendment Resolution.
- B. LAFCO 04-06 Ojai Valley Sanitary District Annexation – Burnham/Forest Homes: To annex 3 separate areas to the Ojai Valley Sanitary District for the purpose of providing sanitary sewer services to each area. The map labeled Parcel A contains 1 Assessor's Parcel, the map labeled Parcel B contains 2 lots and a portion of Burnham Road and the map labeled Parcel C contains 1 lot.

SIZE:

- A. LAFCO 04-06S Ojai Valley Sanitary District Sphere of Influence Amendment – Burnham/Forest Homes: Approximately 68.11 acres
- B. LAFCO 04-06 Ojai Valley Sanitary District Annexation – Burnham/Forest Homes: Approximately 71.89 acres total; Parcel A, consisting of 1 Assessor's Parcel and a portion of Burnham Road, is approximately 68 acres in area, Parcel B, consisting of 2 lots and a portion of Burnham Road, is approximately 3.62 acres in area, and Parcel C, consisting of 1 lot, is approximately .27 acres in area.

COMMISSIONERS AND STAFF

COUNTY:

Kathy Long
Linda Parks
Alternate:
Steve Bennett

CITY:

Evaristo Barajas, Chair
Don Waunch
Alternate:
John Zaragoza

SPECIAL DISTRICT:

Jack Curtis, Vice Chair
Dick Richardson
Alternate:
Ted Grandsen

PUBLIC:

Louis Cunningham

Alternate:
Kenneth M. Hess

EXECUTIVE OFFICER:

Everett Millais

LAFCO ANALYST:

Hollee Brunsky

OFFICE MANAGER/CLERK:

Debbie Schubert

LEGAL COUNSEL:

Noel Klebaum

LOCATION: Parcel A includes 1 Assessor's Parcel at 655 Burnham Road. Parcel B contains 2 lots located at 308 and 348 Burnham Road, northerly of the intersection of Sycamore Rd and Burnham Rd. Parcel C contains 1 lot located at 2125 East Ojai Avenue. All 3 Parcels (A, B & C) are in the unincorporated area of Ventura County. Parcels A and B are not within the Sphere of Influence of any city, but are in the City of Ojai Area of Interest. Parcel C is in the Sphere of Influence of the City of Ojai.

ASSESSOR'S PARCEL AND OWNERSHIP INFORMATION:

LAFCO Parcel	Assessor Parcel	Property Address	Property Owner
Parcel A – Sphere amendment & annexation	032-0-201-195	655 Burnham Road	Forest Homes, Inc.
Parcel B – annexation only	031-0-094-555	308 Burnham Road	Zena Warrior Princess Family Trust
	031-0-094-325	348 Burnham Road	Douglas D. Edwards
Parcel C – annexation only	024-0-101-030	2125 East Ojai Avenue	Jeff & Catherine Jappe

PROPONENT: Ojai Valley Sanitary District, by Resolution

NOTICE: The Sphere of Influence Amendment has been noticed as a
PUBLIC HEARING as required by law.

RECOMMENDATIONS:

- A. Certify that the Commission has reviewed and considered the information contained in the CEQA Notice of Exemption prepared by the Ojai Valley Sanitary District as lead agency, dated April 6, 2004, and determine that both the Sphere of Influence Amendment and the Annexation proposals are exempt under Section 15319(a) of the CEQA Guidelines.
- B. Adopt the attached resolution (LAFCO 04-06S) making determinations and approving the Ojai Valley Sanitary District Sphere of Influence Amendment – Burnham/Forest Homes
- C. Adopt the attached resolution (LAFCO 04-06) making determinations and approving the Ojai Valley Sanitary District Annexation – Burnham/Forest Homes.

GENERAL ANALYSIS:

1. Land Use:

A. Site Information

No land use, zoning or general plan changes will occur as a result of the proposals. Existing land use, County zoning and general plan information for each of the subject Assessor Parcels is as follows:

Address Assessor Parcel	Land Use	Zone District Classification	General Plan Designation
655 Burnham Rd. 032-0-201-195	Institutional and open space	RA – 40 ac/SRP (rural agricultural – 40 acre min. lot size/scenic resource protection)	Open Space
308 Burnham Rd. 031-0-094-555	Single family residence	RE-20 (rural exclusive – 20,000 sq. ft. min. lot size)	Existing Community
348 Burnham Rd. 031-0-094-325	Single family residence	RE-20 (rural exclusive – 20,000 sq. ft. min. lot size)	Existing Community
2125 East Ojai Ave. 024-0-101-030	Single family residence	R-1-10 (single family residential – 10,000 sq. ft. min. lot size)	County: Existing Community/ Urban Reserve City: Low Density Residential

B. Surrounding Land Uses and Zoning and General Plan Designations

The surrounding land uses, zoning and general plan designations are similar to the land uses, zoning and general plan designations for each of the Parcels in the proposal area, and reflect the same open space and existing community characteristics.

C. Topography, Natural Features and Drainage

Parcel A slopes up from Burnham Road and the Ventura River and contains hilly terrain with some oak woodland vegetation. The Parcel B and Parcel C areas are relatively level and contain no significant natural features.

D. Conformity with Plans

Parcels A, B and C are in the unincorporated area of Ventura County and conform to the County's General Plan. Parcels A and B are not within the Sphere of Influence of any city, but are within the area of interest of the City of Ojai. Parcel C is in the Sphere of Influence of the City of Ojai and is developed with a single-family residential use consistent with the City's General Plan.

Parcel A, 655 Burnham Road is subject to the County's SOAR ordinance due to its Open Space General Plan designation.

Neither the Sphere of Influence Amendment proposal nor the Annexation proposal will result in any changes to General Plan designations or land use.

2. Impact on Prime Agricultural Land, Agriculture and Open Space:

A. Agricultural Land and Agriculture

There are no agricultural uses in the proposal area, or any surrounding agricultural uses.

No part of the proposal area is within a greenbelt.

B. Open Space

Parcel A is considered open space. Parcels B and C are not open space.

3. Population:

According to the County of Ventura Registrar of Voters, there are less than 12 registered voters within the proposal area. Given this information, the proposal area is considered uninhabited in terms of LAFCO annexation proceedings

4. Services and Controls – Need, Cost, Adequacy and Availability:

The Ojai Valley Sanitary District has represented that it has the capacity to provide sanitary sewer service, including treatment plant capacity, to each lot within the

proposal area immediately upon annexation. There are existing Ojai Valley Sanitary District lines within 50 to 130 feet of each lot within the proposal area.

The individual property owners will pay for sewer line lateral connections to each lot in the proposal area and all connection charges. On-going operational and maintenance costs will be financed by user charges.

No change to any other service, including school services, will result from this proposal.

5. Boundaries and Lines of Assessment:

The boundaries are definite and certain. There are no conflicts with lines of assessment. Parcel A is a separate Assessor's Parcel, but is part of a much larger, single lot that includes 3 other Assessor Parcels and extends across Burnham Road to the east into and including the Ventura River. In total, the entire lot is approximately 132 acres in area not including the Burnham Road right-of-way. Part of this larger lot area (approximately 16.25 acres) is already within the boundaries of the Ojai Valley Sanitary District and all of the remaining lot area is within the District's Sphere of Influence. Because the entire lot is owned by the same entity, because the lot is effectively split by Burnham Road and because the proposals will result in the entire area west of Burnham Road being in the District's Sphere of Influence and within the District boundaries, there are no conflicts with ownership.

There are no conflicts of ownership for Parcels B and C.

Maps sufficient for filing with the State Board of Equalization have been received from the proponent.

6. Assessed Value, Tax Rates and Indebtedness:

The assessed land value of each parcel per the 2003-2004 tax roll is:

Assessor Parcel	Property Address	Assessed Land Value
032-0-201-195	655 Burnham Road	\$629,000
031-0-094-555	308 Burnham Road	\$10,163
031-0-094-325	348 Burnham Road	\$8,748
024-0-101-030	2125 East Ojai Avenue	\$92,506

The lot at 655 Burnham Road is in tax rate area 91114. The lots at 308 and 348 Burnham Road are in tax rate area 91040. Both of these tax rate areas have the same tax rate of 1.080677 for each \$100 of assessed valuation.

The lot at 2125 East Ojai Avenue is in tax rate area 91134, and has a tax rate of 1.077177 for each \$100 of assessed valuation.

Upon annexation to the Ojai Valley Sanitary District, the County Assessor has indicated that the lots will be assigned to new tax rate areas, these changes will not result in any tax rate changes. Thus, no changes to property taxes will result from this proposal.

The Ojai Valley Sanitary District issued a Revenue Refunding Bond in 2003 to refinance prior debt obligations for treatment plant improvements and the construction of other District facilities. This Bond is being repaid from overall District revenues and does not affect property taxes or result in any special assessments. Operation and maintenance of OVSD lines and facilities are financed by monthly sewer service charges.

7. Environmental Impact of the Proposal:

The Ojai Valley Sanitary District is the lead agency for these proposals. The District found the proposals to be categorically exempt under Section 15319(a) (annexation of existing facilities) of the California Environmental Quality Act Guidelines. The categorical exemption is appropriate for the proposal and no land use changes will result from this proposal.

8. Regional Housing Needs

The proposals are for a Sphere of Influence Amendment and Annexation into the Ojai Valley Sanitary District. Neither proposal will have any effect on the fair share of the regional housing needs for the County of Ventura.

9. Landowner and Annexing Agency Consent

All the landowners in the proposal area have given their written consent for the annexation to the Ojai Valley Sanitary District. Due to this fact and because the annexation proposal area is considered uninhabited for LAFCO proceedings, the Ojai Valley Sanitary District has requested that all subsequent notice and protest proceedings be waived.

SPECIAL ANALYSIS:

The Assessor's parcel located at 655 Burnham Road that is depicted on the map attached to the recommended Sphere of Influence Amendment Resolution is not currently within the Sphere of Influence of the Ojai Valley Sanitary District. Thus, unless the Commission first approves the Sphere of Influence Amendment proposal, the annexation of Parcel A into the District cannot be approved. This does not apply to Parcels B and C as they are already within the District's Sphere of Influence.

Government Code §56425 (e) requires that in determining the Sphere of Influence of each local agency the Commission shall consider and prepare a written statement of its determinations with respect to certain factors prior to making a decision:

The present and planned uses in the area, including agricultural and open space lands.

There will be no change to the present or planned uses in the area to be added to the Sphere of Influence.

Describe the present and probable need for public facilities and services in the area.

There will be no change to the present and probable need for public facilities and services in the area. The area to be included within the Sphere of Influence of the Ojai Valley Sanitary District will allow for substantially the same area to be annexed into the Ojai Valley Sanitary District for the purpose of providing sanitary sewer services.

The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

The Ojai Valley Sanitary District has the present capacity and adequate public facilities to provide sanitary sewer services to the Sphere of Influence proposal area.

The existence of any social or economic communities of interest in the area that the Commission may determine are relevant to the agency.

There are no social or economic communities of interest in the area that are relevant to the Sphere of Influence Amendment.

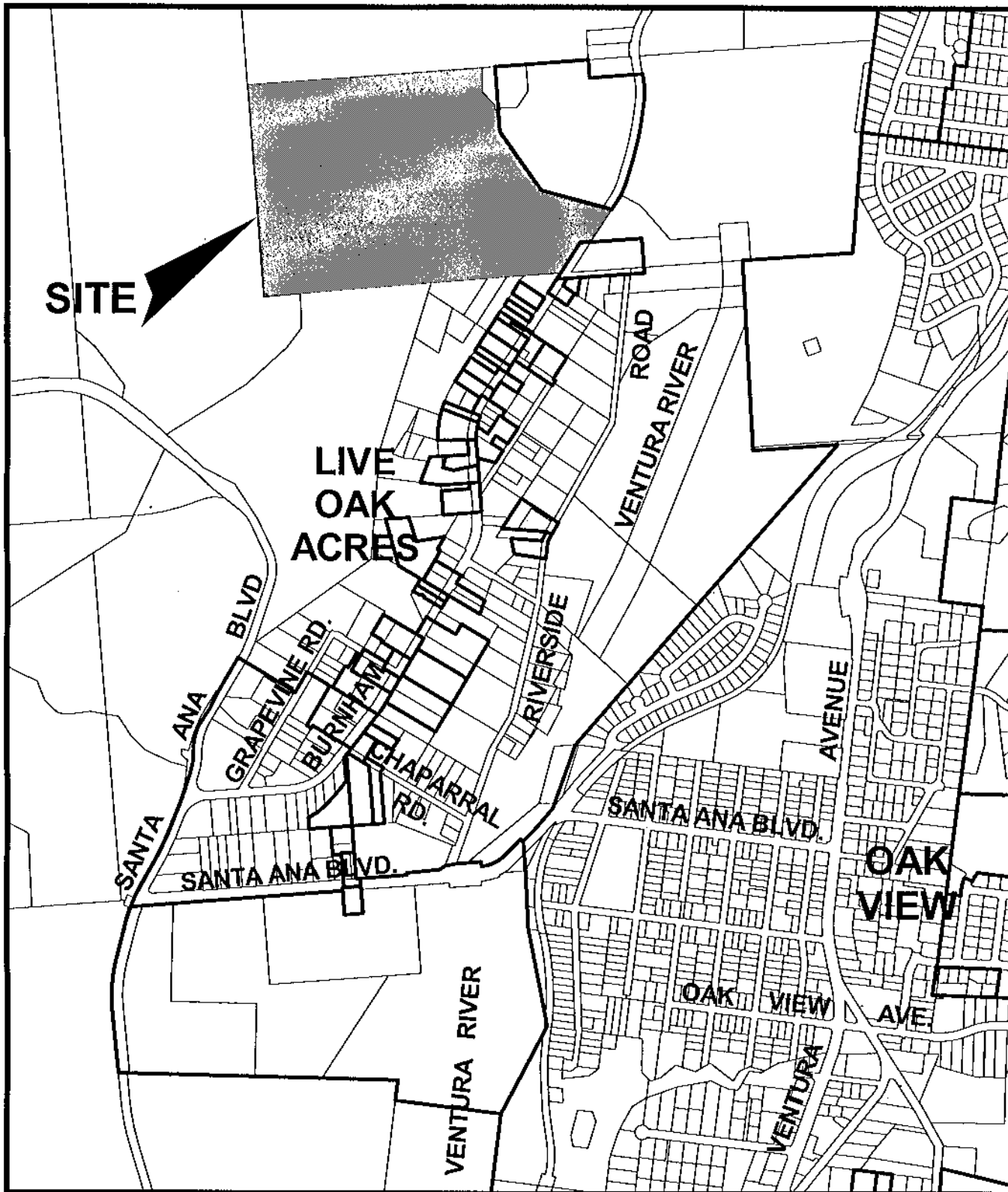
ALTERNATIVE ACTIONS AVAILABLE:

- A. If the Commission, following public testimony and the review of the materials submitted, determines that further information is necessary, a motion to continue either the Sphere of Influence Amendment proposal or the Annexation proposal, or both, should state specifically the type of information desired and specify a date certain for further consideration.
- B. If the Commission, following public testimony and the review of the materials submitted, determines that the boundaries of either the Sphere of Influence proposal or the Annexation proposal, or both, should be modified, or that either proposal should be approved subject to any changes or additions to the terms and conditions recommended, a motion to approve should clearly specify any boundary changes and/or any changes or additions to the terms and conditions of approval.
- C. If the Commission, following public testimony and review of materials submitted with the proposals wishes to deny the Sphere of Influence proposal or the Annexation proposal, or both, a motion to deny should include adoption of this Report and all referenced materials as part of the public record. It should be noted that if the Commission denies the Sphere of Influence proposal, the Annexation of Parcel A to the Ojai Valley Sanitary District cannot be approved.



PREPARED FOR THE COMMISSION BY:

Everett Millais, Executive Officer

Attachments: (1) Vicinity Map
 (2) LAFCO 04-06S Resolution
 (3) LAFCO 04-06 Resolution

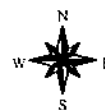


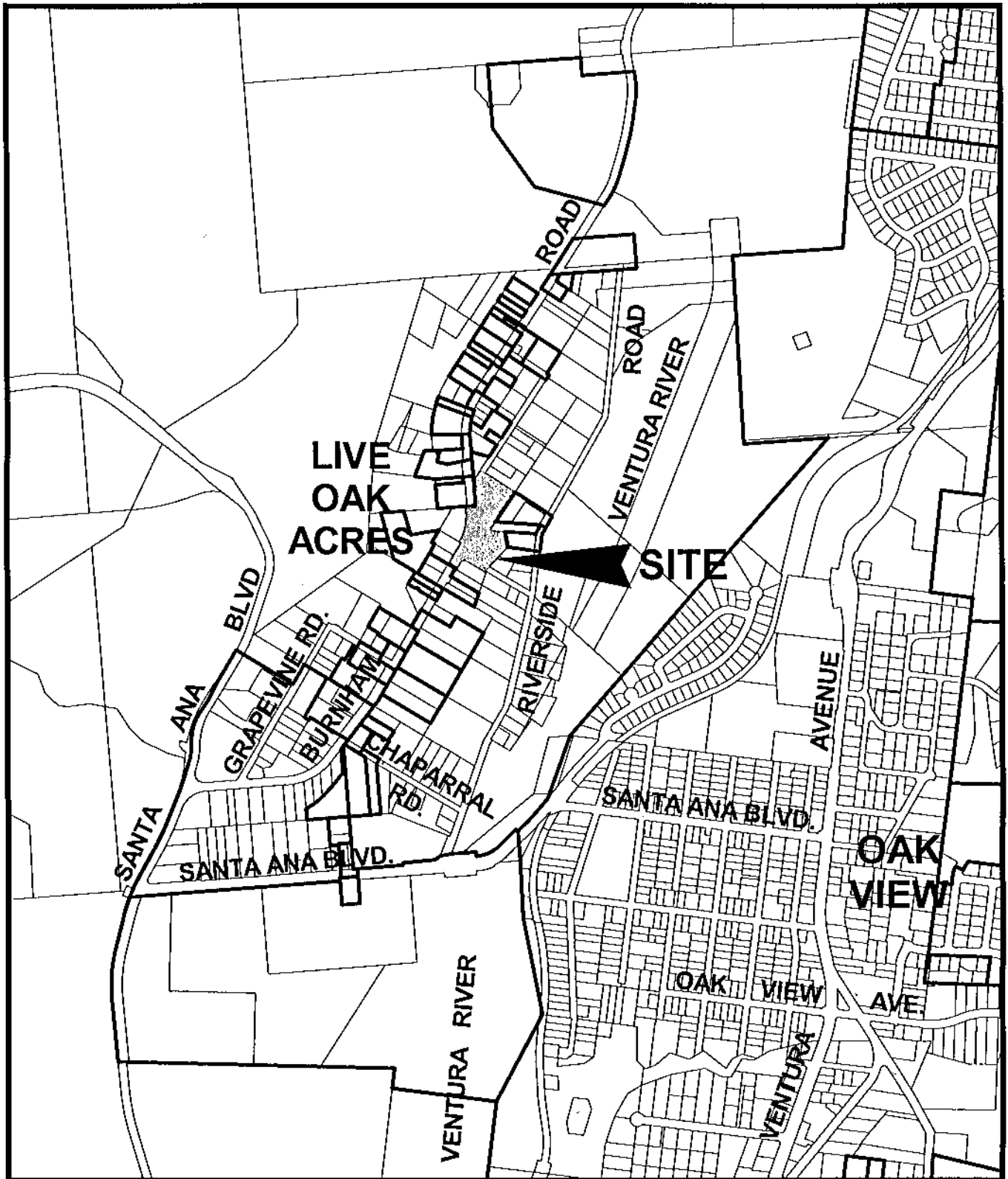
LEGEND

-  Existing Ojai Valley Sanitary District Boundary
-  Proposed Annexation Area



LAFCO 04-06 VICINITY MAP

OJAI VALLEY SANITARY DISTRICT ANEXATION
BURNHAM FOREST HOMES OJAI - OVSD NO. 2004-01
PARCEL A





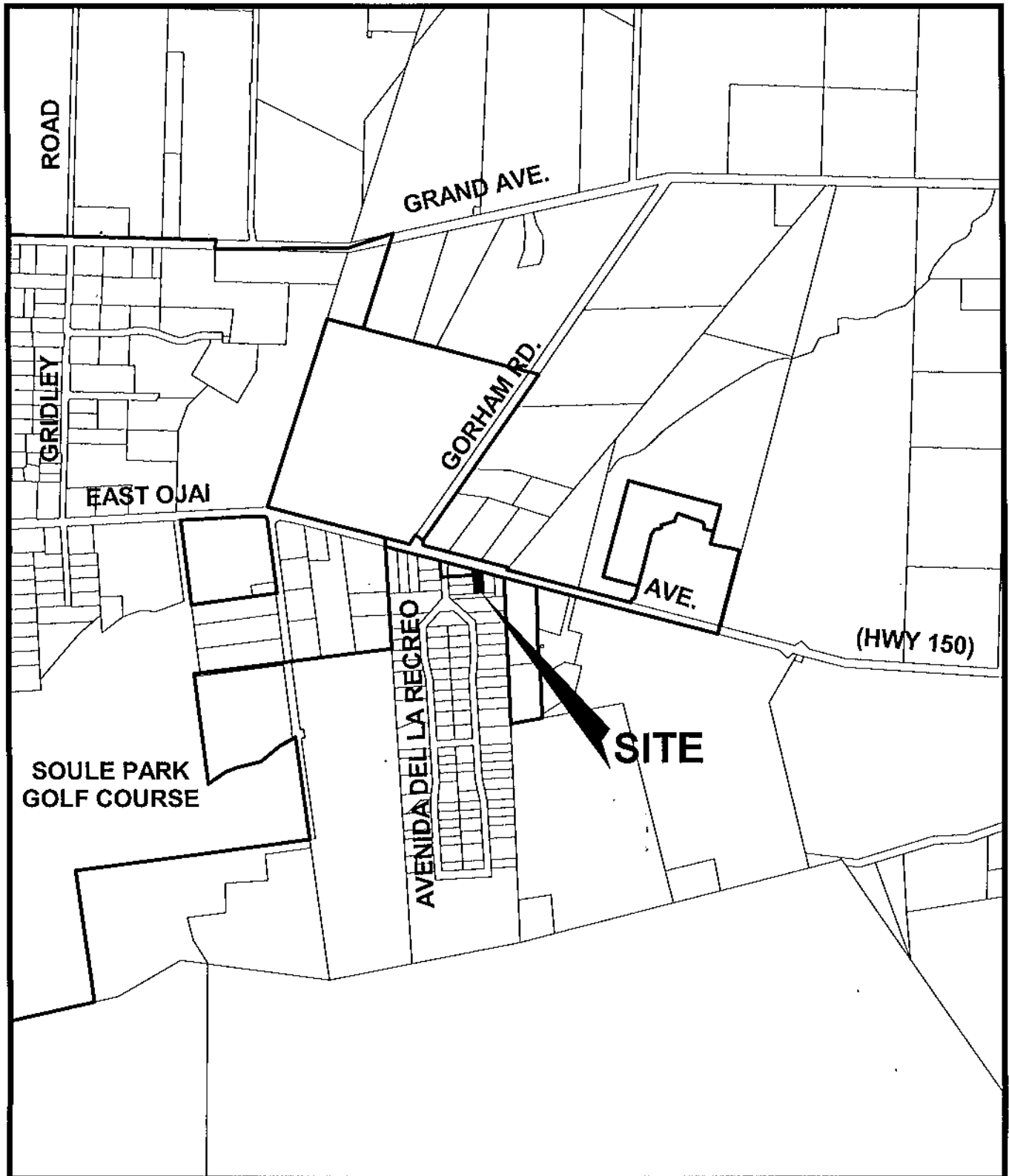
LEGEND

-  Existing Ojai Valley Sanitary District Boundary
-  Proposed Annexation Area



LAFCO 04-06 VICINITY MAP

OJAI VALLEY SANITARY DISTRICT ANEXATION
BURNHAM FOREST HOMES OJAI - OVSD NO. 2004-01
PARCEL B





LEGEND

-  Existing Ojai Valley Sanitary District Boundary
-  Proposed Annexation Area

LAFCO 04-06
VICINITY MAP

OJAI VALLEY SANITARY DISTRICT ANEXATION
BURNHAM FOREST HOMES OJAI - OVSD NO. 2004-01
PARCEL C

